



General Assembly

February Session, 2016

Raised Bill No. 5386

LCO No. 1847



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING VOTES FOR CROSS ENDORSED
CANDIDATES.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsections (b) and (c) of section 9-242 of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (b) [It] Any such voting tabulator shall be so constructed as to
5 prevent an elector from voting for more than one person for the same
6 office, except when the elector is lawfully entitled to vote for more than
7 one person for that office, and [it] such voting tabulator shall afford the
8 elector an opportunity to vote for only as many persons for that office
9 as the elector is by law entitled to vote for, at the same time preventing
10 the elector from voting for the same person twice. [It] Such voting
11 tabulator shall be so constructed that all votes cast will be registered or
12 recorded by the tabulator. In the event that a candidate is cross
13 endorsed and an elector casts more than one vote for such candidate,
14 such vote shall be deemed an unassigned vote and shall be attributed

15 by the head moderator to the endorsing parties as provided for in this
16 subsection. The head moderator shall (1) determine the percentage of
17 all [attributable] unassigned votes the candidate received that are
18 attributable to each endorsing party, (2) determine the number of
19 ballots upon which an elector voted for the candidate more than once,
20 and (3) apply the percentage determined under subdivision (1) of this
21 subsection for an endorsing party to the total determined under
22 subdivision (2) of this subsection. The resulting number from the
23 calculation under subdivision (3) of this subsection shall be the
24 number of votes the head moderator attributes to the endorsing party
25 associated with the percentage used in the calculation under
26 subdivision (3) of this subsection. The head moderator shall repeat the
27 calculation in subdivision (3) of this subsection for each endorsing
28 party. For any result under subdivision (3) of this subsection that is a
29 fractional number, the head moderator shall round such result to the
30 nearest whole number, provided a half number shall be rounded to the
31 next highest whole number, and provided further that each such
32 endorsing party with a percentage greater than zero under subdivision
33 (1) of this subsection shall [receive] be attributed at least one such vote,
34 with the remaining parties [receiving] being attributed a proportional
35 reduction in votes, if necessary. If any vote remains that can not be
36 evenly attributed to such parties, such vote shall be attributed to the
37 endorsing party with the most votes.

38 (c) Notwithstanding the provisions of subsection (b) of this section,
39 the Secretary of the State may approve a voting tabulator which
40 requires the elector in the polls to place the elector's ballot into the
41 recording device and which meets the voluntary performance and test
42 standards for voting systems adopted by (1) the Federal Election
43 Commission on January 25, 1990, as amended from time to time, or (2)
44 the Election Assistance Commission pursuant to the Help America
45 Vote Act of 2002, P.L. 107-252, 42 USC 15481-85, as amended from time
46 to time, whichever standards are most current at the time of the
47 Secretary of the State's approval, and regulations which the Secretary

48 of the State may adopt in accordance with the provisions of chapter 54,
 49 provided the voting tabulator shall (A) warn the elector of overvotes,
 50 (B) not record overvotes, and (C) not record more than one vote of an
 51 elector for the same person for an office. In the event that a candidate is
 52 cross endorsed and an elector casts more than one vote for such
 53 candidate, such vote shall be deemed an unassigned vote and shall be
 54 attributed by the head moderator to the endorsing parties as provided
 55 for in this subsection. The head moderator shall (i) determine the
 56 percentage of all [attributable] unassigned votes the candidate received
 57 that are attributable to each endorsing party, (ii) determine the number
 58 of ballots upon which an elector voted for the candidate more than
 59 once, and (iii) apply the percentage determined under subparagraph
 60 (C)(i) of this subsection for an endorsing party to the total determined
 61 under subparagraph (C)(ii) of this subsection. The resulting number
 62 from the calculation under subparagraph (C)(iii) of this subsection
 63 shall be the number of votes the head moderator attributes to the
 64 endorsing party associated with the percentage used in the calculation
 65 under subparagraph (C)(iii) of this subsection. The head moderator
 66 shall repeat the calculation in subparagraph (C)(iii) of this subsection
 67 for each endorsing party. For any result under subparagraph (C)(iii) of
 68 this subsection that is a fractional number, the head moderator shall
 69 round such result to the nearest whole number, provided a half
 70 number shall be rounded to the next highest whole number, and
 71 provided further that each such endorsing party with a percentage
 72 greater than zero under subparagraph (C)(i) of this subsection shall
 73 [receive] be attributed at least one such vote, with the remaining
 74 parties [receiving] being attributed a proportional reduction in votes, if
 75 necessary. If any vote remains that can not be evenly attributed to such
 76 parties, such vote shall be attributed to the endorsing party with the
 77 most votes.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	9-242(b) and (c)
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Statement of Purpose:

To classify as "unassigned" the multiple votes an elector may cast on the ballot for cross endorsed candidates and make technical changes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]